

Office of the Chief  
Regulatory Branch

MAY 22 1993

Mr. Ivan Makil, President  
Salt River Pima-Maricopa Indian Community  
Route 1, Box 216  
Scottsdale, Arizona 85256

Dear Mr. Makil:

The Corps of Engineers has completed the jurisdictional determination of the Salt River area adjacent to the Tri-City Landfill. This jurisdictional determination demarcates the waters of the United States which are regulated by the Corps of Engineers pursuant to section 404 of the Clean Water Act. Attached you will find an aerial photograph which reflects this determination. According to this determination, the Tri-City Landfill has intruded into the waters of the United States by placing fill into two areas identified on the attached aerial photograph. The combined area of impact to the waters of the United States has been estimated as 3.3 acres (1.1 acres on the north side of the river and 2.2 acres on the south side).

A number of concerns have been expressed concerning the potential adverse impacts associated with the landfills on the banks of the Salt River. To resolve the concerns associated with the Tri-City landfill we understand that you are considering additional corrective measures which may include rerouting the river away from the northern landfill section, protecting the landfill(s) from predicted floods, bank protection and/or other appropriate remedial actions.

We ask the Indian Community to prepare a plan addressing the intended corrective measures. As previously agreed, we will assist you, within our authority, by incorporating as much of this corrective measures plan in our resolution of the unauthorized discharge, as is reasonable. Please provide your plan within 30 days from the date of this letter.

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I appreciate the cooperation extended by the Indian Community in the handling of this matter and am looking forward to working with you in the prompt resolution of this situation. If you have any questions please contact myself at (213) 894-5300 or Mr. Ron Fowler at the Arizona Regulatory Field Office staff at (602) 640-5385.

Sincerely,

Charles S. Thomas  
Colonel, Corps of Engineers  
District Engineer

Enclosure(s)

Copies Furnished:

1. CESPL-DE (Reading File)
2. CESPL-CO (Reading File)
3. Regulatory Branch (File and Clipboard)
4. Agencies on attached list

THOMAS  
CESPL-DE

*HELM S*  
J. TEMMEL *TG*  
CESPL-DE

*PC*  
f. ENSON  
CESPL-CO

*8/21/92*  
GILL  
CESPL-CO-R  
*1/2 4/15*  
CASTANON  
CESPL-CO-R

*1/1*  
FOWLER  
CESPL-CO-R  
PIMA-MAR.REQ

Copies Furnished:

U.S. Environmental Protection Agency  
Wetlands & Dredged Materials (W-7-2)  
75 Hawthorne Street  
San Francisco, California 94105

Arizona Department of Environmental Quality  
ATTENTION: Edward Z. Fox, Director  
2005 North Central, Room 700  
Phoenix, Arizona 85004

Senator John McCain  
United States Senate  
111 Russell Senate Office Building  
Washington D.C. 20510-0303

Bureau of Indian Affairs  
ATTENTION: Amy Heuslein  
Phoenix Area Office  
Environmental Services  
P.O. Box 10  
Phoenix, Arizona 85001